

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BENJAMIN SAMUEL RICH,  
*formerly known as Samuel Guillaume*

Plaintiff,

-v.-

STATE OF NEW YORK et al.,

Defendants.  
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ORDER

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21 Civ. 3835 (AT) (GWG)

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**GABRIEL W. GORENSTEIN, United States Magistrate Judge**

On December 1, 2022, the Court issued an Order (Docket # 92) requiring plaintiff to file his response to the defendant's motion for summary judgment (filed January 3, 2023) on or before February 3, 2023. The record does not reflect that plaintiff has filed any such response, however.

While plaintiff never sought an extension of the February 3, 2023, deadline, the Court grant plaintiff an extension of this deadline on the following terms: plaintiff must by March 1, 2023 either (a) file his opposition to the motion for summary judgment or (b) file a letter stating that he does not intend to oppose the motion.

If plaintiff fails to do either of these things, he is warned that this case may be dismissed in its entirety for failure to prosecute under Rule 41(b) of the Federal Rules of Civil Procedure.

Defendants may file any reply to plaintiff's filing within 14 days of the filing.

Dated: February 16, 2023  
New York, New York

  
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GABRIEL W. GORENSTEIN  
United States Magistrate Judge